C. S. 100 SINGLE BENCH

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH) 06

WRIT PETITION No. 5996 OF 2005

PETITIONER :- Smt.Bhavna Thakur, wife of Amar Singh Disen, aged about 35 years, occupation: Shiksha Karmi Gr.I, resident of Pachripara, Rajim, Tah: Rajim,Dist:Raipur(C.G)

Vs.

RESPONDENTS :-

1. State of Chhattisgarh:through: Secretary,Panchayat Department, Raipur (C.G).

2. State of Chhattisgarh:through: Secretary,School Education Department, Raipur (C.G).

3. Chief Executive Officer,,Zilla Panchayat, Raipur (C.G).

4. Principal,Government Higher Secondary School (Tribal Welfare) Dulla, Block Chhura, Dist:Raipur(CG)

5. Principal,Government Higher Secondary School, Hasda, Block: Abhanpur,Dist: Raipur (C.G)

P.R. No. 611/05 Presented by Shri Amit Sharma dated 29/11/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक WP 5996/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

14/12/2005

Dr. Shailesh Ahuja, counsel for the petitioner.

Shri Sandeep Dubey, Govt. Advocate, for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner prays that a direction be given to the respondent authorities to post the petitioner at Govt. Higher Secondary School, Hasda as the same would help the petitioner to perform the duties with due sincerity and devotion and would not adversely affect her family.

It is noted that in the writ petition also, the affidavit is to the effect that the petitioner be transferred immediately to perform the duties with due sincerity and devotion. The pleadings go to show that the petitioner is not able to perform the duties with due sincerity and devotion.

Learned counsel for the State contended that the transfer is an exigency of service and the petitioner be directed to perform the duties with sincerity and devotion.

Having considered the facts and circumstances and the material on record, so far as the transfer is concerned, it is an exigency of service. No case is made out for issuance of a writ or direction while exercising the jurisdiction under Article 226/227 of the Constitution of India. Even otherwise, after a lapse of more than one year and three months, the petitioner has challenged the order dated 19/8/2004. It is too much belated. However, the petitioner to perform duties now with sincerity and devotion and thereafter may make

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मामला क्रमांक ....WP 5996/05.... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
G/H-	representation before the concerned authorities raising grievances, if any, which may be considered and decided on its own merits in accordance with law. With the aforesaid observations, this petition stands disposed of. Consequently, M.W.P. No.4769/05 also stands disposed of. **Sd/-** **Fakhruddin** **Judge**	